

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MISSOURI**

**MINUTES OF CIVIL JURY/NON JURY TRIAL**

Presiding Judicial Official Catherine D. Perry Date 2/02/10 Case No. 4:06-md-1811-CDP

In Re Genetically Modified Rice

Parties present for X JURY TRIAL 9 NON JURY TRIAL Day 16

Court Reporter T. Hopwood Deputy Clerk K. Hisaw

Attorney(s) for Plaintiff(s) D. Downing, G. Garrison, W. Chaney, S. Powell, J. Sapp, A. York

Attorney(s) for Defendant(s) M. Ferguson, G. Summers, J. Hughes, J. Jones, V. Gibbs

Jury impaneled and sworn. 9 Opening Statement(s) of 9 Plaintiff(s) 9 Defendant(s) made.

9 Plaintiff(s) evidence 9 commenced 9 resumed 9 and 9 but not 9 concluded.

Y Defendant(s) evidence resumed 9 and Y but not Y concluded.

9 Plaintiff(s) evidence in rebuttal 9 commenced 9 resumed 9 and 9 but not 9 concluded.

9 Defendant(s) evidence in surrebuttal 9 commenced 9 resumed 9 and 9 but not 9 concluded.

9 Oral 9 Written Motion for Judgment as a Matter of Law at close of 9 pltf's case 9 deft's case

9 filed 9 made/argued by 9 pltf(s) 9 deft(s) 9 \_\_\_\_\_ and is 9

Overruled/Denied 9 Sustained 9 Court's ruling reserved 9 taken under submission 9 taken with the case.

9 Closing Arguments of counsel made. 9 Case taken under advisement.

9 (Simultaneous) briefs due \_\_\_\_\_. 9 Case is settled. Dismissal papers due\_\_\_\_\_.

9 Jury charged and retires to consider its verdict(s) at \_\_\_\_ am/pm 9 Verdict(s) returned at \_\_\_\_ am/pm

9 Jury having been given a special verdict in the form of written interrogatories for finding of fact,  
retires to consider its verdict(s) at \_\_\_\_ am/pm 9 Verdict(s) returned at \_\_\_\_ am/pm

9 Jury unable to agree upon its verdict(s) by \_\_\_\_ am/pm is excused to resume deliberations \_\_\_\_ at \_\_\_\_ am/pm 9

The Court declares a MISTRIAL. 9 Trial is reset\_\_\_\_\_.

9 On motion of 9 plaintiff 9 defendant 9 Court the jury is polled.

Y Proceedings to continue 02.03.10 at 8:45 a.m.

9 Judgment is entered accordingly this date. 9 Depositions 9 Exhibits retained by 9 Court 9 Counsel.

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**PROCEEDINGS COMMENCED: 9:00 a.m. - 12:00 p.m. CONCLUDED: 12:30 p.m. - 2:15 p.m.**

Jury Instruction Conference 2:30 p.m. - 4:20 p.m.